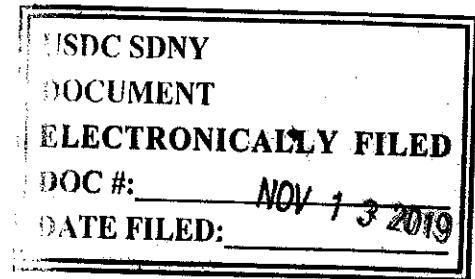


LOWTHER | WALKER LLC

November 8, 2019

MEMO ENDORSED

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007



VIA CM/ECF ONLY

Re: *United States of America v. Felix Jacob Salomon Guillen, et al.*, No. 1:18-CR-00899-LAK (S.D.N.Y. Dec. 18, 2018)

Glady's Lovelia Diamond's Motion to Extend Surrender Date

Judge Kaplan:

On October 3, 2019, this Court sentenced Ms. Diamond, *inter alia*, to serve a term of imprisonment of three months, and directed her to surrender for the service of that sentence on November 14, 2019, to the institution designated by the Federal Bureau of Prisons, or in the absence of such designation, to the United States Marshals Service in the Southern District of New York. (J. Crim. Case 2, ECF No. 52.) The BOP advised Ms. Diamond yesterday, though her attorney of record, that it will not have designated her place of imprisonment prior to her current surrender date, and that it cannot estimate the date by which it will make that designation.

Ms. Diamond is a sixty-five year old, naturalized, non-violent offender, with no criminal history; therefore, she anticipates that the BOP will designate her to a minimum-security prison (see BOP PS 5100.08). However, this Court's requiring Ms. Diamond to surrender to the USMS on November 14, 2019, likely will result in her serving her entire sentence at MCC New York, an administrative-security metropolitan correctional center, which is located approximately 879 driving miles from her residence (Driving Directions from Kennesaw, Georgia to MCC New York, Google Maps, <http://google.com/maps> (follow "Directions" hyperlink; then search starting point field for "Kennesaw, GA" and search destination field for "MCC New York")), far outside of the 500-driving-mile placement radius required by statute, if "practicable" (18 U.S.C. § 3162(b).)

Therefore, Ms. Diamond respectfully requests that this Court extend her surrender date by eighty-four days to January 6, 2020, to allow BOP a sufficient time in which to

MEMO ENDORSED

complete the designation process in this matter.

Respectfully submitted,

s/ Joshua Sabert Lowther, Esq.

Joshua Sabert Lowther, Esq.

Ms. Diamond shall surrender to the BOP on the date and by the time it fixes, and at the designated institution. If she has not surrendered by 12/18/2019, she shall surrender to U.S.M.S. at 500 Pearl St. on that day by 2 PM.

SO ORDERED


LEWIS A. KAPLAN, USD

Dated: 11/13/2019